

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANITA FATE,

Plaintiff,

v.

JOANNE BARNHART,

Defendant.

No. C 05-02034 SI

**ORDER RE: SUMMARY JUDGMENT
DEADLINE**

Plaintiff filed this action on May 18, 2005, seeking review of a decision by the Social Security Administration denying her request for Social Security disability benefits. Defendant answered on August 17, 2005. According to this Court's social security procedural order, plaintiff's motion for summary judgment was due on September 16, 2005. On October 5, 2005, the Court granted plaintiff a 60-day extension to file her motion for summary judgment. The 60-day period has passed, and the Court still has yet to receive plaintiff's motion for summary judgment.

Accordingly, the Court ORDERS that plaintiff file her motion for summary judgment by January 13, 2006. **If plaintiff's motion is not filed by January 13, 2006, this action will be dismissed without prejudice for failure to prosecute.**

IT IS SO ORDERED.

Dated: December 20, 2005



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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